

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RICO D. HARMON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-18-35-D
)	
WARDEN TERRY ROYAL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

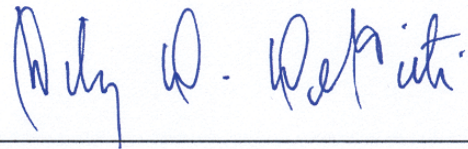
This matter is before the Court for review of the Report and Recommendation [Doc. No. 16] issued by United States Magistrate Judge Bernard M. Jones pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Jones recommends the dismissal without prejudice of this prisoner civil rights action upon initial screening of the Second Amended Complaint [Doc. No. 15], pursuant to 28 U.S.C. § 1915A(b) and § 1915(e)(2)(B).

The case file shows no timely objection to the Report nor request for an extension of time, even though Plaintiff was expressly informed of his right to object, the procedure for doing so, and the consequences of failing to object. Therefore, the Court finds that Plaintiff has waived further review of all issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, for the reasons explained by Judge Jones, the Court finds that this action should be dismissed without prejudice to refiling.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 16] is ADOPTED in its entirety. This action is DISMISSED without prejudice to a future filing. A separate judgment of dismissal shall be entered.

IT IS FURTHER ORDERED that Plaintiff's Motion Requesting Preliminary Injunction [Doc. No. 4] is DENIED as moot.

IT IS SO ORDERED this 4th day of April, 2018.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE